

1 Stephen D. Finestone (125675)  
2 Jennifer C. Hayes (197252)  
3 Kimberly S. Fineman (184433)  
4 Ryan A. Witthans (301432)  
5 FINESTONE HAYES LLP  
6 456 Montgomery Street, 20thFloor  
7 San Francisco, California 94104  
8 Tel. (415) 616-0466  
9 Fax (415) 398-2820  
10 jhayes@fhlawllp.com

11 Attorneys for Chapter 7 Trustee  
12 Kyle Everett

13 **UNITED STATES BANKRUPTCY COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN FRANCISCO DIVISION**

16 In re

17 Case No. 20-30819-DM

18 BENJA INCORPORATED,

19 Chapter 7

20 Debtor.

21 **DECLARATION OF JENNIFER C.**  
22 **HAYES IN SUPPORT OF**  
23 **REQUEST FOR ENTRY OF**  
24 **ORDER BY DEFAULT**  
25 **APPROVING TRUSTEE'S**  
26 **MOTION TO COMPROMISE OF**  
27 **CONTROVERSY (BUSEY BANK)**

28 I, Jennifer C. Hayes, declare as follows:

19 1. I am a partner at Finestone Hayes LLP, attorneys of record for Kyle Everett in his  
20 capacity as the duly appointed Chapter 7 Trustee of the bankruptcy estate of Benja Incorporated  
21 in the above-captioned case

22 2. All statements in this declaration are based on my own personal knowledge and  
23 observation, or upon information and belief based upon my review of the court and business  
24 records in this case. If called to testify on this matter, I could and would competently testify to  
25 the matters set forth in this Declaration.

3. I make this Declaration in support of the concurrently filed Request for Entry of Order by Default. On March 13, 2024, on behalf of the Trustee, I filed his Motion to Approve Compromise of Controversy with Busey Bank (the “Motion”) and the supporting Declaration of Kyle Everett. ECF 206, 206-1. Also, on March 13, 2024, on behalf of the Trustee, I filed the Notice and Opportunity for Hearing (the “Notice”) relating to the Motion. ECF 207. I am informed and believe that the Notice was served on creditors in the Court’s ECF service list on March 13, 2024, and on creditors listed on the Court’s mailing matrix on March 14, 2024. ECF 208.

4. The Notice indicated that anyone wishing to object to the proposed stipulation was required to do so by filing and serving a written objection no later than 21 days from the date on which the Notice was served. The last day for filing and serving objections was April 4, 2024. I received no objections, and none were filed in the bankruptcy case.

I declare under penalty of perjury that the above statements are true and that if called as a witness I could and would testify to their truthfulness. This declaration is executed on April 5, 2024 in Contra Costa County, California.

/s/ Jennifer C. Hayes

Jennifer C. Hayes